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D Billye Sanders (615) 850-8951 billye sanders@wallerlaw com

April 28, 2005

# VIA HAND DELIVERY

Pat Miller, Chairman Tennessee Regulatory Authority 460 James Robertson Parkway Nashville, Tennessee 37219

Re:

Petition of Chattanooga Gas Company for Approval of Adjustment

of its Rates and Charges and Revised Tariff

Docket Number 04-00034

Dear Chairman Miller,

Enclosed you will find the original and thirteen copies of Chattanooga Gas Company's Motion for Extension of Time for the filing of responses to the Consumer Advocate and Protection Division's ("CAPD") Objections to and Motion to Strike Portions of Response Testimony of Michael J. Morley Regarding Recon-2 and the CAPD's Motion for Leave to Supplement the Record.

Sincerely,

D. Billye Sanders

Attorney for Chattanooga Gas

D. Belly S.

Company

DBS/hmd

cc.

Archie Hickerson Elizabeth Wade, Esq. Steve Lindsey

## WALLER LANSDEN DORTCH & DAVIS, PLLC

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> Craig Dowdy Michael J. Morley Parties of Record

# BEFORE THE TENNESSEE REGULATORY AUTHORITY NASHVILLE, TENNESSEE

IN RE.	)	
	)	
PETITION OF CHATTANOOGA GAS	)	
COMPANY, FOR APPROVAL OF,	)	DOCKET NO 04-00034
ADJUSTMENT OF ITS RATE AND	)	
CHARGES AND REVISED TARIFF	)	
	)	
	)	

#### MOTION TO EXTEND TIME TO FILE RESPONSE

Comes now Chattanooga Gas Company, ("CGC") and hereby moves the Tennessee Regulatory Authority ("TRA") for an extension of time until Friday, May 6, 2005 to file a Response to the Consumer Advocate and Protection and Division's ("CAPD") Objections to and Motion to Strike Portions of Response Testimony of Michael J. Morley Regarding Recon-2 filed April 6, 2005 ("Motion to Strike") and the CAPD's Motion for Leave to Supplement the Record ("Motion to Supplement"). The Motion to Strike was served on local counsel for CGC by fax on the afternoon of Friday, April 22, 2005. The Motion to Supplement was served on CGC's local counsel on Tuesday, April 26, 2005 via hand delivery.

Pursuant to TRA Rule 1220-1-2.06 (2)

Any party opposing a motion shall file and serve a response within seven (7) days after service of the motion. The Authority or Hearing Officer may shorten or extend the time for responding to any motion.

Pursuant to this Rule, CGC's response to the Motion to Strike would be due Friday, April 29, 2005 and the CGC's response to the Motion to Supplement would be due Tuesday, May 2, 2005.

As grounds for this Motion, CGC states the following:

- 1. Although the Motion to Strike was faxed to the office of CGC's local counsel on Friday afternoon, April 22, 2005, CGC's local counsel was out of town and did not actually receive the Motion to Strike until Monday, April 25, 2005.
- 2. Notwithstanding the time lost between service and actual receipt of the Motion to Strike, CGC needs additional time to prepare its responses to the Motion to Strike and the Motion to Supplement. The motions involve related matters and it will be more efficient for CGC to respond to both motions on the same date.
- 3. Counsel for CGC has contacted Counsel for the CAPD and the CAPD does not object to this extension.

WHEREFORE, CGC respectfully requests an extension of time until Friday, May 6, 2005 to file its responses to Motion to Strike and the Motion to Supplement.

Respectfully Submitted,

Chattanooga Gas Company

D. Billye Sanders

Attorney for Chattanooga Gas Company Waller Lansden Dortch & Davis, PLLC

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## CERTIFICATE OF SERVICE

I hereby certify that on this day of April, 2005, a true and correct copy of the foregoing document was delivered by hand delivery or U.S. mail postage prepaid to the other Counsel of Record listed below.

D. Bıllye Sanders, Esq.

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